

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA (Philadelphia)

In re:	)	
Leslie A. Spalding	)	
Jennifer E. Haynes	)	Chapter 13
	)	Case No. 11-17743
Debtors	)	

**CERTIFICATION OF DEFAULT**

TO THE CLERK OF COURT:

The undersigned, counsel for secured creditor FMM Bushnell, LLC, assignee of ACM Patriot LN IV B, LLC, assignee of The Patriot Group, LLC, hereby certifies that Debtors are and remain in default under the Stipulation between Debtors and The Patriot Group, LLC, and that although notice of such default has been provided under such Stipulation (see Exhibit "A" hereto), and the requisite fifteen (15) days have passed, such default has not been cured.

Accordingly, pursuant to the Stipulation, kindly submit the instant matter to the Court for the entry of a Relief Order in the form attached hereto as Exhibit "B".

JSDC LAW OFFICES

By: /s/BRIAN H. SMITH  
BRIAN H. SMITH, ESQUIRE  
Attorneys for FMM Bushnell, LLC  
PO Box 650  
Hershey, PA 17033  
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# EXHIBIT

A



JSDC LAW OFFICES

JAMES • SMITH • DIETTERICK • CONNELLY • CHABAL • YAHN • SEEBER • TOMASKO

June 2, 2017

Leslie A. Spalding  
 Jennifer E. Haynes  
 1801 Georges Lane  
 Philadelphia, PA 19131

Valerie A. Hibbert, Esquire  
 Valerie A. Hibbert, Esquire, P.C.  
 18 North Lansdowne Avenue  
 Lansdowne, PA 19050

**Re: Leslie A. Spalding/Jennifer E. Haynes  
 Bankruptcy #11-17743**

Dear Mesdames,

The undersigned represents FMM Bushnell, LLC, assignee of ACM Patriot LN IV B, LLC, assignee of The Patriot Group, LLC, secured creditor in the above.

Please be advised that the Stipulation entered into as of January 23, 2012 and subsequently approved by the Court, is in default. Specifically, the monthly payments (\$1,102.10 per month) from and including April 1, 2016 through and including June 1, 2017, plus associated late charges (\$55.11 per month) have not been received. The total of payments and late charges due as of the date of this letter is \$17,358.15.

Accordingly, this shall constitute notice under paragraph 4 of the Stipulation that if the aforementioned defaults are not corrected within fifteen (15) days of the date of this letter, my client will file a certification of default and request that a relief order be entered.

Thank you.

Very truly yours,

JSDC LAW OFFICES

  
 Brian H. Smith, Esquire

cc: FMM Bushnell, LLC (via email)

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 Hershey, PA 17033

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 17036

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**Of Counsel:**

Gregory K. Richards  
 Andrew H. Briggs

# EXHIBIT

## B

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA (Philadelphia)

In re: )  
Leslie A. Spalding )  
Jennifer E. Haynes ) Chapter 13  
 ) Case No. 11-17743  
Debtors )

**ORDER**

AND NOW, this       day of       , 201\_\_\_\_, upon certification of default  
under the Stipulation between Debtors and The Patriot Group, LLC, IT IS HEREBY ORDERED  
AND DECREED that:

- (1) The Automatic Stay of all proceedings , as provided under 11 U.S.C. sections 362 and 1301 (if applicable), is modified as to FMM Bushnell, LLC, assignee of ACM Patriot LN IV B, LLC, assignee of The Patriot Group, LLC, for the premises 1801 Georges Lane, Philadelphia, PA 19131.
- (2) Pursuant to the aforementioned Stipulation, the stay of proceedings under Bankruptcy Rule 4001 (a)(3) shall not apply, and Movant may enforce the provisions of this Order immediately.

BY THE COURT:

\_\_\_\_\_  
B.J.

cc: All Counsel of Record  
Chapter 13 Trustee  
Debtors  
Office of the U.S. Trustee

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA (Philadelphia)

In re:	)	
Leslie A. Spalding	)	
Jennifer E. Haynes	)	Chapter 13
	)	Case No. 11-17743
Debtors	)	

**CERTIFICATE OF SERVICE OF CERTIFICATION OF DEFAULT**

The undersigned, by the date shown below, certifies that true and correct copies of the Certification of Default regarding FMM Bushnell, LLC, assignee of ACM Patriot LN IV B, LLC, assignee of The Patriot Group, were served upon the following via first-class US regular mail, postage prepaid:

Debtor's Counsel:  
Valerie A. Hibbert, Esquire  
Valerie A. Hibbert, Esquire, P.C.  
18 North Lansdowne Avenue  
Lansdowne, PA 19050

William C. Miller, Esquire  
Chapter 13 Trustee  
111 S. Independence Mall  
Suite 583  
Philadelphia, PA 19106

Debtors:  
Leslie A. Spalding  
Jennifer E. Haynes  
1801 Georges Lane  
Philadelphia, PA 19131

Office of the U.S. Trustee  
833 Chestnut Street, Ste. 500  
Philadelphia, PA 19107

Date: June 19, 2017

JSDC LAW OFFICES

By: /s/Brian H. Smith  
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Attorneys for FMM Bushnell, LLC